

## **EPA's Plan to Maximize Employee Performance**

### **Development of Plan**

The EPA's plan to maximize employee performance was developed by a workgroup comprised of senior agency officials, representatives from the first-line supervisor advisory group (FLAG), an attorney-advisor from the Office of General Counsel and human resources professionals. EPA workgroup members met with representatives from the Office of Personnel Management, the Office of Management and Budget, the Merit Systems Protection Board and other government officials to discuss the plan and determine the best path forward for the agency. The development of this plan, along with the related implementation actions, are building upon many actions already in place at the EPA to foster a culture where managers, supervisors and employees are accountable for their performance.

### **Current Performance Management Initiatives and Agency Best Practices**

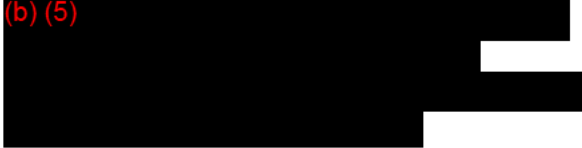
EPA is currently meeting several of the requirements prescribed by OMB's memorandum and has many best practices relevant to maximizing employee performance:

1. The FLAG was created in 2015; the FLAG has assisted and advised the agency on its supervisory training curriculum and is currently developing a supervisory toolkit on performance management.
2. In 2017, the agency mandated that all supervisors take 8 hours of training on management issues annually. OARM LER staff offer many trainings per year, including quarterly full-day training geared towards first-line supervisors, and monthly 2-hour trainings on common issues facing supervisors. Each EPA location also offers on-site support and training. All new supervisors must attend EPA's Successful Leaders Program within one-year of appointment.
  - In 2017, five of the monthly supervisory training sessions were on the performance management process (setting expectations, documenting performance and taking performance-based actions), and five of the monthly trainings were on employee misconduct (time and attendance issues, OIG investigations, taking effective disciplinary actions and handling medical issues in the workplace). These trainings meet the objectives set forth in the OMB memorandum.
  - This training is voluntary (but can be used to meet the 8-hour requirement); the training is routinely attended voluntarily by 10-15% of EPA managers and supervisors, which demonstrates the value and success of the training.
3. Beginning in 2015, several of the agency's communities that address EPA performance and/or misconduct began meeting regularly to discuss process, efficiency, and consistency. These meetings have collectively resulted in more predictable, timely and supported processes for supervisors.
  - Since May 2015, representatives from OIG, OGC, and OARM have held bi-weekly coordination meetings to share information on matters related to employee misconduct.
    - GAO recognized the EPA for its model relationship with the OIG, and recently met with agency officials to gather info on agency's best practices for addressing misconduct to share government-wide.
  - OGC and OARM LER staff conduct biweekly discussions around pending performance-based and adverse actions; the groups have jointly planned/held conferences on current issues in employee relations, including determining best practices and agency processes. The next conference is planned for August 2017.

- The agency's LER community meets every 4 weeks to discuss LER issues of national importance, and to discuss best practices and consistent approaches.
- 4. The agency's Administrative Leave Policy (issued February 2016) requires all administrative leave requests over 10 cumulative workdays to be approved by the OARM Assistant Administrator; requests are only approved when necessary for orderly operations of the agency; policy encourages managers to consider alternative options prior to use of administrative leave.
- 5. Beginning in June 2017, supervisors can run real-time reports with probationary period end dates on their employees.

Action Item	Agency Plan	Timeline
<b>Action 1 - Review and Update Formal Agency Policy</b>		
A. Review, update or create agency policy, procedures and guidance on how to address poor performance and conduct.	The EPA must revise agency policy to eliminate barriers (see 1B); the policy must be negotiated with 5 national unions. The revised policy will be issued by OARM/OHR and implemented agency-wide. ( <i>long-term</i> )	Draft Agency Policy: 11/1/2017  Formal Union Notice: 1/1/2018  Goal for Completion of Negotiations/Implementation of Revised Performance Management System: 10/1/2018
B. Specifically review whether policies create unnecessary barriers for addressing poor performance	The agency's performance management policy is issued at the agency level, but has also been negotiated with 5 unions. The policy and all collective bargaining agreements (CBA) are 5 tiers. The agency has reviewed the policy and CBAs, and has identified the following potential barriers to addressing poor performance. This includes a review of steps not required in statute/regulation, pursuant to 1C below. <ul style="list-style-type: none"> <li>• minimally satisfactory (level 2) rating</li> <li>• performance assistance plan (required prior to placing an employee on a performance improvement plan)</li> <li>• 90-day minimum period of observation</li> <li>• minimum duration of performance improvement plans</li> <li>• grievability of performance improvement plans</li> </ul>	The agency will ensure that potential barriers are removed from revised policy drafted pursuant to 1A above.
C. Remove steps not required in statute/regulation to streamline processes to the maximum extent.	See 1A and 1B ( <i>near-term</i> )	The agency will ensure that potential barriers are removed from revised policy drafted pursuant to 1A above.
D. Once Administrative Leave Act implementing regulations are final, incorporate into policy the expectation to limit the use of unnecessary administrative leave.	EPA issued an Administrative Leave Policy in February 2016 limiting use of unnecessary administrative leave. ( <i>see best practice #4</i> )	The agency will incorporate Administrative Leave Act into existing policy, once final regulations are issued by OPM.
E. Provide clear guidance on performance improvement plans.	The agency will provide all agency managers with OPM's March 2017 guidance on "Addressing and Resolving Poor Performance" and include brief	Immediate Action: 6/30/2017  Additional guidance to be developed and distributed in

	highlights on PIPs in June's Administrative Update to managers. ( <i>immediate</i> )	conjunction with revised policy (drafted pursuant to 1A).
F. Develop policy at agency level or highest major component level.		Policy will be developed at the agency-level, pursuant to 1A above.
G. Chief Human Capital Officer and General Counsel collaborate to create policy; consult with EEO Office and Labor Relations.		OHR will collaborate with OGC, OCR and LER in the development of the revised policy pursuant to 1A.
<b>Action 2 - Provide Transparency Around the PIP Process</b>		
A. Provide all supervisors a copy of the rules and guidance regarding PIPs	See 1E ( <i>immediate</i> )	See 1E
B. Emphasize in guidance that PIPs can be started at any point and not just at the end of the rating period.	OPM Guidance to be distributed pursuant to 1E above specifies that PIPs can be issued at any time an employee's performance becomes unacceptable. ( <i>immediate</i> )  (b) (5)	See 1E
C. Maintain data on PIPs, including number of employees placed on them and number who successfully improve performance.	Agency will mandate, effective July 1, 2017, that all LER offices regularly track and update all performance-based actions (including issuance and completion of PIPs) in EPA's Labor and Employee Relations Information System (LERIS) on at least a monthly basis. ( <i>immediate</i> )	Immediate Action: 7/1/2017
<b>Action 3 – Ensure Managers and Supporting HR Staff Are Appropriately Trained</b>		
A. Provide training to all SES, supervisors, managers, team leads, and employee relations staff on managing employee performance and conduct.	The EPA is currently offering the subject matter training to all managers, supervisors and employee relations staff ( <i>see best practice #2</i> ). ( <i>near-term</i> )  In May 2017, the EPA also signed an Interagency Agreement with the Department of the Interior to launch a learning management system (FedTalent). FedTalent will be integrated into existing HR systems, and will allow the EPA to define and assign competencies and training, and maintain records of training for compliance purposes. FedTalent is scheduled for full operating capability in March 2018. ( <i>near-term</i> )	In FY 2018, the EPA will mandate that all managers take training on managing employee performance and conduct.
<b>Action 4 – Ensure Accountability in Manager Performance Plans</b>		

A. Ensure that supervisors and managers are held accountable for managing employee performance and conduct.	The agency will review and revise supervisor/managers performance plans to ensure they include language regarding managing employee performance and conduct. ( <i>near-term</i> )	Mandatory language to be included in FY 2018 performance plans.
B. Review and update (if necessary) supervisor/manager performance plans to reflect this responsibility.	See 4A ( <i>near-term</i> )	See 4A
<b>Action 5 – Ensure Real-Time Manager Support Mechanisms</b>		
A. Identify approaches and plans for providing accessible “just-in-time” expert assistance and guidance to managers who are addressing performance/conduct issues.	The agency must evaluate LER functions and “just-in-time” options to provide real-time support to managers.	The agency will evaluate the best options for real-time support and select support methods by 9/30/2017. Once support methods are selected, the agency will initiate implementation 1/1/2018, with full implementation by 4/1/2018.
B. Include a real-time forum (e.g., dedicated contact support lines) for managers to receive guidance on addressing performance or conduct issues that require immediate action.	See 5A ( <i>near-term</i> )	See 5A
<b>General Action – Review Agency Systems</b>		
A. All agencies must develop a plan to maximize employee performance by reviewing the systems and structures currently in place within their agencies to support managers in managing employee performance, and developing a timeline for improvement.	<p>The EPA currently has a paper-based performance management system.</p> <p>(b) (5)</p> 	To be launched concurrently with revised performance-management system; in conjunction with 1A.